

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2115

IN THE MATTER OF:

Served May 29, 1980

Application of DAVID C. PEARSON       )  
T/A E & H TRANSPORTATION COMPANY    )  
for a Certificate to Perform         )  
Non-Emergency Medical Transportation)

Case No. AP-80-04

This application was filed on February 1, 1980. Details of the application were specified in Order No. 2086, served February 29, 1980. That order also scheduled the matter for public hearing on March 25, 1980. Upon applicant's motions, the public hearing was twice postponed and is currently scheduled for June 17, 1980. On May 27, 1980, the Commission received notification that applicant had retained counsel. On that same date applicant's counsel filed a motion to amend the application. The amendment would broaden the scope of the application. Accordingly, applicant will be required to publish and post notice of the amended application. A new date will be established for the filing of protests. \*/ The time required for the process will necessitate yet another postponement of the public hearing.

It would seem useful here to indicate the current nature of this application as amended. In the words of applicant's motion to amend:

Applicant seeks a Certificate of Public Convenience and necessity to operate motor vehicles for the transportation of passengers over irregular routes in special operations as follows:

"Transportation-disadvantaged persons", and their attendants, between points in the Washington Metropolitan Area Transit Regulation District, limited to the performance of such operations in equipment with a manufacturer's designed seating capacity of 15 passengers or

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\*/ Counsel for Ironsides Medical Transportation Corporation has already filed a protest in this case and will not be required to renew that filing. Ironsides is cautioned, however, that failure to appear and participate at the public hearing scheduled herein will detract from the weight which its protest might otherwise be accorded.

less, excluding the driver, with each vehicle containing at least two wheel chair tie-downs.

"Transportation-disadvantaged persons" are defined as "those individuals who by reason of age, physical or mental disabilities are unable without special facilities or special planning or design to utilize transportation facilities and services as effectively as persons who are not so affected." (WMATC Order No. 2015, August 7, 1979, Pages 3-4).

And in the words of Order No. 2086:

Pearson proposes to provide transportation . . . on weekdays between 8 a.m. and 5 p.m., and at other days and hours if needed, in three specially-equipped 1974 vans, between points in the Metropolitan District, charging the following rates:

One-way trips within the Capital Beltway	\$20.00
One-way trips outside the Capital Beltway	20.00
plus \$1.25 per loaded mile	
Round-trip within the Capital Beltway	35.00
Round-trip outside the Capital Beltway	35.00
plus \$1.25 per loaded mile	
Cancellation charge	
One-way trip	10.00
Round-trip	17.50
Unusual condition requiring additional manpower (per trip)	8.00

THEREFORE, IT IS ORDERED:

1. That the public hearing on Case No. AP-80-04 scheduled for June 17, 1980, is hereby cancelled.

2. That case No. AP-80-04 of David C. Pearson trading as E & H Transportation Company for a certificate of public convenience and necessity is hereby scheduled for public hearing to commence Thursday, July 3, 1980, at 9:30 a.m., in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

3. That applicant is hereby directed to publish once, in a newspaper of general circulation in the Metropolitan District, notice of Case No. AP-80-04 and hearing thereon in the form prescribed by the staff of the Commission no later than Friday, June 6, 1980.

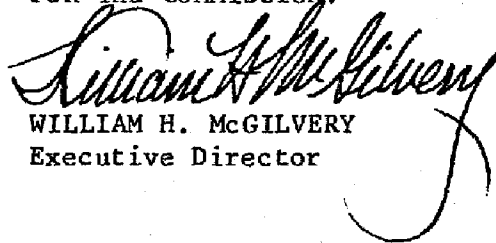
4. That applicant is directed to post in each of his vehicles, conspicuously and continuously through the date of the public hearing, notice of Case No. AP-80-04 and hearing thereon in the form prescribed by the staff of the Commission no later than Friday, June 6, 1980.

5. That applicant is hereby directed to produce at the hearing affidavits of such publication and posting.

6. That any person desiring to protest shall file a protest in accordance with Commission Rule 14, or any person desiring to be heard in this matter shall so notify the Commission, in writing no later than Friday, June 20, 1980, and shall mail a copy of such protest or notice to counsel for applicant, Jeremy Kahn, Esquire, Suite 733 Investment Building, 1511 K Street, N. W., Washington, D. C. 20005.

7. That applicant is hereby assessed \$300 pursuant to Title II, Article XII, Section 19 of the Compact, and directed to deliver said amount to the office of the Commission, Suite 316, 1625 I Street, N. W., Washington, D. C. 20006, no later than 12 noon Friday, June 20, 1980.

FOR THE COMMISSION:



WILLIAM H. MCGILVERY  
Executive Director

